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AZ CORP COMMISSION  
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**BEFORE THE ARIZONA POWER PLANT AND  
TRANSMISSION LINE SITING COMMITTEE**

IN THE MATTER OF THE APPLICATION OF )  
SALT RIVER PROJECT AGRICULTURAL )  
IMPROVEMENT AND POWER DISTRICT, IN )  
CONFORMANCE WITH THE REQUIREMENTS) OF ARIZONA REVISED STATUTES, SECTIONS)  
40-360 et seq., FOR A CERTIFICATE OF )  
ENVIRONMENTAL COMPATIBILITY )  
AUTHORIZING CONSTRUCTION OF A 230 kV )  
DOUBLE-CIRCUIT TRANSMISSION LINE )  
ORIGINATING AT THE PLANNED AND )  
PERMITTED ABEL SUBSTATION, NEAR JUDD )  
AND ATTAWAY ROADS IN PINAL COUNTY, )  
TO THE PLANNED AND PERMITTED RS-17 )  
SUBSTATION, ADJACENT TO THE EXISTNG )  
MOODY SUBSTATION, LOCATED NEAR )  
PECOS AND RECKER ROADS, IN THE TOWN )  
OF GILBERT, MARICOPA COUNTY, )  
ARIZONA, INCLUDING A NEW 230/69 kV )  
SUBSTATION NEAR THE INTERSECTION OF )  
COMBS AND MERIDIAN ROADS, IN OR )  
ADJACENT TO THE TOWN OF QUEEN )  
CREEK, ARIZONA )

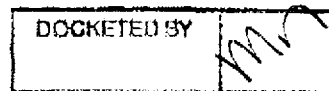
DOCKET No. L-00000B-09-0311-00148

Case No. 148

Arizona Corporation Commission

**DOCKETED**

OCT 14 2009



**TOWN OF QUEEN CREEK'S AMENDED SUMMARY OF  
EXPECTED DIRECT TESTIMONY OF WITNESSES AND  
LIST OF EXHIBITS**

In accordance with Paragraph 9 of the Procedural Order filed on June 17, 2009, the Town of Queen Creek (the "Town") respectfully submits the following amended summaries of the anticipated direct examination testimony of the witnesses the Town may call at the hearing

1 scheduled to recommence on October 19, 2009. The Town reserves the right not to call any  
2 identified witness and to timely add additional witnesses.

3 In accordance with Paragraph 10 of the same Procedural Order, the Town further  
4 provides its List of Exhibits that may be used at the hearing. Copies of the listed exhibits will be  
5 provided to all parties and to the Committee in accordance with the Procedural Order. The Town  
6 reserves the right to delete any listed exhibit or to timely add additional exhibits to its  
7 preliminary list.

8  
9 **WITNESSES**

10 **1. JOHN KROSS**

11 Currently, John Kross is the Town Manager of Queen Creek. Since 1991, he has served  
12 in a number of positions with the Town, including Interim Town Manager, Assistant Town  
13 Manager, Community Development Director and Planning Director.

14 The Town was incorporated in 1989 and has been engaged for 20 years in a  
15 strategic/community planning process. The Town's planning documents include, without  
16 limitation, the Queen Creek General Plan (2008 update), the Queen Creek Economic  
17 Development Strategic Plan, the Corporate Strategic Plan and the Town Center Plan.  
18 Recognizing that the Town was in the urban/metropolitan area, the Town has taken great care to  
19 manage its growth responsibly.

20  
21 Nevertheless, the Town has only one major, contiguous, planned future employment area.  
22 Appropriate development of this area is critical to the Town. The Town has communicated to  
23 SRP (formally and informally) its opposition to any transmission line route that bisects the  
24 employment area or infringes upon the Town Center Plan (or related redevelopment area).

25 The Committee's consideration of the Town's plans is mandated by A.R.S. § 40-  
26 360.06(A)(1).

1 The Town is a part owner of the Phoenix-Mesa Gateway Airport. The operation and  
2 development of the Airport is of great importance to the Town. As SRP's consultant has  
3 confirmed, neither location of the proposed transmission lines on a Germann Road alignment or  
4 on a Ryan Road alignment would create a safety hazard or interfere with operations at the  
5 Airport. The Town's aviation consultant agreed with this assessment and on August 25, 2009,  
6 the Federal Aviation Administration (FAA) also confirmed the findings of both consultants with  
7 a determination of non-hazard as to Germann Road. The Town has expressed its strong  
8 preference for a Germann Road alignment by formal Resolution of its Town Council. The  
9 Airport Authority has expressed "no position" on either a Ryan or Germann alignment in its  
10 formal submittal to the Committee.  
11

12 The Town strongly opposes a Railroad (Rittenhouse) alignment for many reasons. Such  
13 an alignment interferes with the Town Center Plan; it impacts many residential neighborhoods;  
14 and an extraordinary number of petitioners (approximately 3,000, many from nearby  
15 neighborhoods like Queensland Manor, the Villages at Queen Creek and Emperor  
16 Estates/Remington Heights) have expressed opposition to this route. From a municipal  
17 perspective, the Railroad alignment represents extremely bad planning.  
18

19 The Ryan Road alternative route bisects the Town's future employment area, as well as  
20 the approved plan for the Queen Creek Station project, one of the largest master-planned  
21 communities in the Town. It also ignores the planned parkway, a planned elementary school  
22 site, and planned medium density residential uses.

23 The Germann Road alignment, in contrast, is on the periphery of the Town's employment  
24 area. Few residences are impacted. Interference with the Queen Creek Station Master Zoning  
25 Plan is minimized.  
26

Both the Ryan and Germann alignments will impact the value, marketability,  
financeability and developability of properties within the Town. The Town has requested

1 “mitigation” assistance from SRP in the form of construction of, or payment for, a linear park,  
2 meandering sidewalk, aesthetic funds contributions or otherwise. This linear park would  
3 intersect with a planned 130-acre community park currently master planned and slated for future  
4 construction by the Town. SRP has declined to offer any significant mitigation funds or  
5 assistance.

6 A corridor width of 250 feet (the minimum apparently requested by SRP) is unnecessary.  
7 Further, a corridor designation (500’ in width) that impacts both sides (north and south or east  
8 and west) of a major roadway could be disastrous for the Town and the impacted areas.  
9 Development could effectively be frozen for years before a formal easement area is designated or  
10 acquired by SRP. A more precise corridor designation is required and a construction start date  
11 (with diligent completion thereafter) should be imposed.

13 To the extent the “Vlajos” property is impacted by the selected alignment, there will be a  
14 similar effect whether the transmission line is located along Ryan Road or Germann Road.  
15 Further, nursery uses under or near the lines are permitted; the existing well site can be avoided;  
16 and there is no fee taking (SRP requires only an easement) as apparently feared by the property  
17 owner.

19 As to the north/south route, the Town prefers a Meridian Road (west side) alignment.  
20 Land in the area is primarily agricultural; it is a “straight shot” to the likely substation site; and  
21 the existing 69KV line (here and on Germann Road) may be underbuilt on the new 230KV poles.

22 The Town favors the “northwest” substation site for the RS24 substation, and  
23 specifically, use of the parcel that is already subject to SRP’s purchase option. This location is  
24 compatible with the Town’s future transportation/intersection construction plans. If properly  
25 screened and landscaped, it may also be compatible with present and future area developments.  
26 The Town has conducted its own studies and will propose specific screening and landscape  
requirements to mitigate the impacts of the planned 25-34 acre substation. The Town’s

1 proposals are based on other existing screening treatments and will be supported by a  
2 professional landscaper's cost estimate obtained by the Town. SRP has presented no screening or  
3 landscape plan for consideration by the Town. The Committee should recommend a specific  
4 screening/landscape plan and monetary commitment from SRP. SRP's suggestion of a \$750,000  
5 aggregate budget is insufficient and its suggestion that "it will work with the Town" provides no  
6 assurance of an acceptable resolution. To put this into perspective, the \$750,000 proposed by  
7 SRP for a 15-20 acre substation site, is only marginally greater than its \$400,000 +/- screening  
8 wall it constructs on a typical 2-acre neighborhood substation. A reasonable screening and  
9 landscape budget would be at least \$1,500,000 to \$2,000,000.  
10

11 In sum, the interests and plans of the Town cannot be reconciled with a Railroad  
12 alignment under any circumstances. As to the other alternatives, the Town supports a  
13 Germann/Meridian (west side) alignment and a properly screened and landscaped substation site  
14 (already under option) at the northwest quadrant of the Combs/Meridian/Rittenhouse  
15 intersection. Mr. Kross' testimony will also refer to the exhibits listed on the attached Exhibit  
16 List.  
17

## 18 **2. SHANE DILLE AND TOM CONDIT**

19 Mr. Dille is Queen Creek's Deputy Town Manager and Mr. Condit is the Town's  
20 Community Development Director. If either is called to testify, their testimony is expected to be  
21 consistent with -- but perhaps expand upon -- the outlined testimony of Mr. Kross and will cover  
22 some or all of the subject matter outlined above.

## 23 **3. MAYOR ART SANDERS**

24 Mr. Sanders is the Mayor of Queen Creek. He also serves as the current Chairman of the  
25 Phoenix-Mesa Gateway Airport Authority Board. If Mayor Sanders is called to testify, it is  
26 anticipated that he will testify that the Airport Authority has "no position" (i.e., it is not

1 advocating for or against) with respect to either a Ryan Road alignment or a Germann Road  
2 alignment.

3 **4. KEN SCARBOROUGH**

4 Mr. Scarborough is an aviation consultant with Planning Technology, Inc. and is based in  
5 Cranston, Rhode Island. It is anticipated that Mr. Scarborough will testify that he agrees  
6 generally with the conclusions of Williams Aviation, SRP's aviation consultant that, at  
7 appropriate heights, transmission line poles for the SRP project could be located on either  
8 Germann Road or Ryan Road without creating a hazard and without interfering with any  
9 Phoenix-Mesa Gateway Airport operations. He will also testify that the previous hazard  
10 determination of the FAA with respect to a Germann Road alignment was erroneous and based  
11 upon an out-of-date standard. In addition, that determination has been reevaluated by the FAA  
12 under the appropriate standard pursuant to the separate requests of SRP and the Town. The FAA  
13 now agrees that a Germann Road alignment, properly designed, will result in "no hazard" to  
14 aviation.  
15

16 Without limiting the foregoing, it is anticipated that Mr. Scarborough will testify that the  
17 SRP transmission line can be constructed along a Germann Road alignment without violating  
18 any one engine inoperative (OEI) surface or any existing or anticipated obstacle limitation  
19 surface and without resulting in a hazard to air navigation.  
20

21 **5. TRUDY POWELL (PETITION CIRCULATOR)**

22 The Town may call Ms. Powell, one of the petition circulators, who personally obtained  
23 the signatures of more than 3,000 Town or area residents opposed to the so-called Railroad  
24 alignment. The witness will explain how the petition process was organized; if called, she will  
25 describe the information presented verbally and in writing to the residents; she will explain that  
26 the terms "Railroad" alignment and "Rittenhouse" alignment are used interchangeably; she will  
explain how the petition carriers individually conferred with each resident; and she will describe

generally the intensity of feeling and concerns expressed by those signing the petitions submitted to the Committee. She will also describe the areas (and specific subdivisions) in which the petitions were circulated.

**AMENDED LIST OF ANTICIPATED EXHIBITS**

<b><u>EXHIBIT NO.</u></b>	<b><u>DESCRIPTION</u></b>
QC-1	Queen Creek General Plan Update (1998)
QC-2	Queen Creek Economic Development Strategic Plan
QC-3	Queen Creek Corporate Strategic Plan
QC-4A	Queen Creek Town Center Plan (2004)
QC-4B	Town Center Plan Historic Modifications
QC-5	Town Center Map Showing Railroad Alignment
QC-6	Redevelopment Area Map
QC-7A	Town Center Map Showing Existing Improvements, Current and Pending Projects
QC-7B	Town Center Plan Showing Area Projects
QC-8	Maps Depicting Area Subdivisions
QC-9	[Deleted]
QC-10	Petitions (3000+/-) (Admitted in Evidence)
QC-11	Petition Circulator Materials
QC-12	Chart Showing Petitioners by Area/Subdivision
QC-13	Map Showing Petitioners by Area/Subdivision
QC-14	Map Showing Total Signature/Total Residences by Subdivision
QC-15.0-15.3	Chart of Residences Within ½ Mile of Each Alignment
QC-16	Map Depicting Number of Residences Within ½ Mile of Each Alignment
QC-17	A.R.S. § 40-360.06
QC-18	Town Council Resolution No. 748-08
QC-19	Town Council Resolution No. 760-08
QC-20	Phoenix-Mesa Gateway Airport Authority Route Preference Chart
QC-21.1	Map Depicting Ultimate Residential Buildout Along Ryan Road
QC-21.2	Ultimate Buildout-Germann Road
QC-22	Substation Screening Wall and Landscape Illustration
QC-23	69KV Substation Screening Wall Illustration Photographs (SRP to Provide)
QC-24	SRP Program Aesthetic Fund Guidelines (11/06)
QC-25	Queen Creek Station Conceptual Master Plan - Development Illustrative

QC-26

Queen Creek Station Conceptual Master Plan –  
Medium High Density  
Linear Park Illustration (2pp)

QC-27

Dated the 14<sup>th</sup> of October, 2009

**MARISCAL, WEEKS, MCINTYRE  
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Pursuant to A.A.C. R14-3-204, the original  
and twenty-five (25) copies of the foregoing  
document are hand-delivered for filing this 14<sup>th</sup> day  
of October, 2009 to:

Docket Control  
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1200 West Washington Street  
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A copy of the foregoing document are  
being mailed this same date to:

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